

REMARKS/ARGUMENTS

The Examiner has requested Applicants to elect a single invention which will be subject to examination on the merits because the Examiner alleges that this application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

Group I, claims 1-17, 19-21, 29-46, in so far as they are drawn to a method for identifying an agent that alters processing of APP by contacting an agent with a cell.

Group II, claims 1, 13-15, 18-19, 22-28, 36-41, in so far as they are drawn to a method for identifying an agent that alters processing of APP by using methods of gene therapy.

Group III, claims 1 and 47-52, in so far as they are drawn to a method of identifying an agent that alters processing of APP by using a transgenic animal.

Group IV, claims 53-60, drawn to a method for identifying a peptide that alters processing of APP by introduction of an expression library of oligonucleotides.

Group V, claim 61, drawn to a peptidomimetic agent.

Group VI, claim 62, drawn to a modified agent.

Group VII, claim 63, drawn to a specifically formulated agent.

The Examiner has alleged that the inventions listed as Groups I to VII do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features. The Examiner further alleges that Claim 1 links inventions I, II and III and that the restriction requirement among the linked inventions is subject to the non-allowance of the linking claim 1. As such, Applicants acknowledge that upon indication of allowability of the linking claim, the restriction requirement as to the linked inventions shall be withdrawn to any claims depending from or otherwise requiring all the limitations of the allowable linking claims will be rejoined and fully examined for patentability in accordance with 37 CFR 1.104. Also, that claims that require all the

limitations of an allowable linking claim will be entered as a matter of right if the amendment is presented prior to final rejection or allowance, whichever is earlier.

Further, the Examiner has alleged that this application contains claims directed to more than one species of the generic invention. The Examiner believes that the designated species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species alleged by the Examiner are as follows:

different species of APP;
different APP processing enzymes; and
different presentation molecules.

The Examiner has required that Applicant in reply to this action elect a single species to which the claims shall be restricted if no generic claim is finally held allowable. The reply must also identify the claims readable on the species, including any claims subsequently added. Upon the allowance of the generic claim, Applicants acknowledge that they will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim.

The claims are deemed to correspond to the species listed above in the following manner: Claims 3, 4 and 30-32. Further, the Examiner has noted that claims 3, 4 and 29 are considered generic.

Applicants elect to prosecute with traverse Group I, claims 1-17, 19-21, 29-46, in so far as they are drawn to a method for identifying an agent that alters processing of APP by contacting an agent with a cell. Further, Applicants elect with traverse APPs- β as the species of APP; β -secretase as the APP processing enzyme; and CD24 as the presentation molecule. Claims 18, 19, 22-28, and 47-60 have been withdrawn pending reconsideration of the necessity of restriction. Further, claims 61-63 have been cancelled without prejudice to prosecution of subject matter encompassed by the claims in a related co-pending application.

CONCLUSION

As set forth above, Applicant believes all requirements for responding to the Restriction Requirement have been addressed. Applicant respectfully requests reconsideration of the request for species election. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 206-467-9600.

Respectfully submitted,

Dated: 7 November 2007

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